

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Case No. 3:24-cr-00209-FDW-DCK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID PAUL DANIEL,

Defendant.

**UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS
DEADLINES**

Defendant, David Daniel, moves the Court to continue trial to the next criminal trial term and correspondingly extend the deadline for any and all 12(b)(3) and other pretrial motions. In support of this Motion, Mr. Daniel shows the following:

1. Docket Call is currently March 3, 2025.
2. 12(b)(3) motions are due today, January 22, 2025 and any other pretrial motions are due February 19, 2025.
3. Mr. Daniel is being detained pending trial in this case.
4. As the Court knows, Mr. Daniel was a defendant in a “January 6” case until President Trump instructed the Department of Justice to dismiss the matter, and the case was dismissed yesterday. During December 2024, Mr. Daniel was transported to Washington, DC for a proceeding in that case, and remains incarcerated there.

5. Because Mr. Daniel has been incarcerated in DC, counsel and Mr. Daniel have not been able to meet (except for a few moments before his hearing in DC) for nearly two months.

6. The defense cannot prepare 12(b)(3) or other pretrial motions, review discovery, prepare for trial, or work through plea options until Mr. Daniel returns to the area, or at least to a facility where the undersigned and Mr. Daniel can better communicate.

7. The government does not oppose the relief requested in this Motion.

WHEREFORE, Mr. Daniel respectfully requests that the Court continue trial to a later criminal term and correspondingly extend any pretrial motions deadlines.

Respectfully submitted this 22nd day of January, 2025.

/s/ William R. Terpening
William R. Terpening
N.C. Bar No. 36418

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CERTIFICATE OF SERVICE

I certify that I have filed this **UNOPPOSED MOTION TO CONTINUE TRIAL AND PRETRIAL MOTIONS DEADLINES** through the Court's CM/ECF system, which constitutes service on all parties.

Dated: January 22, 2025.

/s/ William R. Terpening
William R. Terpening